

CITY COUNCIL AGENDA

JUNE 6, 2017

SYNOPSIS

CHAPPIE JONES
SERGIO JIMENEZ
RAUL PERALEZ
LAN DIEP
MAGDALENA CARRASCO
VICE MAYOR

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

SAM LICCARDO MAYOR

DEV DAVIS
TAM NGUYEN
SYLVIA ARENAS
DONALD ROCHA
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. On May 2, 2017, the City Council authorized combining two sections of the Council agenda, Section 10 – General Plan Amendments and Section 11 – Land Use, into a single section labeled Section 10 – Land Use. Section 10 – Land Use indicates whether an item will be heard at 1:30 p.m. or 6:00 p.m. If you have any questions, please direct them to the City Clerk’s staff seated at the tables just below the dais. Thank you for taking the time to attend today’s meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <http://www.sanjoseca.gov/index.aspx?NID=5322>. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or City.Clerk@sanjoseca.gov for the final document.

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- **Call to Order and Roll Call**
9:40 a.m. - Closed Session, Call to Order in Council Chambers
Absent Councilmembers: Nguyen. (Excused)

1:35 p.m. - Regular Session, Council Chambers, City Hall
Absent Councilmembers: Nguyen. (Excused)
- **Invocation (District 6)**
Rainbow Women’s Chorus sang “I am Willing” by Holly Near for the Invocation.
- **Pledge of Allegiance**
Mayor Sam Liccardo led the Pledge of Allegiance.
- **Orders of the Day — *Heard after Ceremonial Items***
The Orders of the Day and the Amended Agenda were approved, with Items 3.6 and 3.7 deferred to 6/13/17 and Item 4.1 deferred to August 2017.
- **Closed Session Report — *None provided.***

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to Rainbow Women's Chorus celebrating 20 years of performance. (Davis)
Mayor Sam Liccardo and Councilmember Dev Davis provided a commendation to the Rainbow Women's Chorus for their 20 years of musical excellence, entertainment and education.
- 1.2 Presentation of a commendation to Carlo Pedron and the Elks Lodge 522 highway litter pick up team. (Rocha)
Mayor Sam Liccardo and Councilmember Donald Rocha offered a commendation to Carlo Pedron and the Elks Lodge 522 highway litter pick up team who, through their dedicated efforts, have helped beautify District 9 every month for the last two decades.

2. CONSENT CALENDAR

2.1 Approval of City Council Minutes.

Recommendation: Approval of City Council Minutes.

(a) Regular Minutes of January 10, 2017.

(b) Regular Minutes of January 17, 2017.

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (City Clerk)

Approved.

2.2 Final Adoption of Ordinances.

Recommendation: Final adoption of ordinances.

(a) ORD. NO. 29945 – An ordinance of the City of San José amending Part 2 of Chapter 20.120 and Section 20.80.460 of Part 5 of Title 20 to provide for a more comprehensive review of development proposals for property with existing multi-family housing and mobilehome parks. CEQA: Not a Project, File No. PP10-068, General Procedure and Policy Making that involves no changes in the physical environment or Exempt pursuant to Section 15061(b)(3). (Planning, Building and Code Enforcement/Housing)

Ordinance No. 29945 adopted.

(b) ORD. NO. 29910 – An ordinance of the City of San José amending Chapter 11.48 of Title 11 of the San José Municipal Code to establish new residential permit parking zones in the Cadillac, Lynhaven, Via Monte, and West Berryessa neighborhoods. CEQA: Exempt, File No. PP14-069. Council Districts 1, 4 and 10. (Transportation)

Ordinance No. 29910 adopted.

(Item continued on the next page)

2. CONSENT CALENDAR

2.2 Final Adoption of Ordinances. (Cont'd.)

Recommendation:

- (c) ORD. NO. 29946 – An ordinance of the City of San José rezoning certain real property of approximately 0.15 acre situated on the west side of North 8th Street approximately 230 feet north of East Empire Street (539 North 8th Street) from the LI Light Industrial Zoning District to the R-2 Two-Family Residence Zoning District. CEQA: Addendum to the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041, SCH#2004102067) and Supplemental EIR to the Envision San José 2040 General Plan Final Program EIR (Resolution No. 77617). Planning Commission recommends approval (5-0-2, Ballard and Bit-Badal absent). (Planning, Building and Code Enforcement)

Ordinance No. 29946 adopted.

2.3 Approval of Council Committee Minutes.

Recommendation: Approval of Council Committee Minutes.

- (a) Rules and Open Government Committee Minutes of May 10, 2017. (Mayor)
(b) Rules and Open Government Committee Minutes of May 17, 2017. (Mayor)
(c) Public Safety, Finance and Strategic Support Committee Minutes of May 18, 2017. (Perez)

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (City Clerk)

Approved.

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Approval of Master Service Agreements with Landrum & Brown, Inc. and HNTB Corporation for On-Call Airport Planning Services.

Recommendation: Approve Consultant Master Services Agreements with Landrum & Brown, Inc. & HNTB Corporation for On-Call Airport Planning Services at the Norman Y. Mineta San José International Airport, each with a maximum compensation of up to \$1,000,000 and a five-year term. CEQA: Not a Project, File No. PP10-066(d), Agreements and Contracts, Consultant services for design, study, research, inspection, to other professional consulting services to determine the feasibility of a project with no commitment to future action. (Airport)

Approved.

2. CONSENT CALENDAR

2.8 Vice Mayor Carrasco's Travel to Virginia Beach, VA.

Recommendation: Approve travel by Vice Mayor Carrasco to Virginia Beach, Virginia on July 13, 2017 to July 16, 2017 to attend the Sister Cities International Annual Conference. Source of Funds: Mayor/Council Travel Budget. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Travel. (Carrasco)

Approved.

2.9 Report on Bids and Award of Contract for 8448 – Muni Yard Fence Replacement Project.

Recommendation: Report on bids and award of contract for the 8448 – Muni Yard Fence Replacement Project to the low bidder, Cal West Fence, in the amount of \$149,316 and approve a 10 percent contingency in the amount of \$14,931. CEQA: Exempt, File No. PP17-020, CEQA Guidelines Section 15302, Replacement or Reconstruction. Council District 7. (Environmental Services)

Accepted.

2.10 Actions Related to the Purchase Order with Cummins West for Engine Repair Services for Emergency Generators and Fire Apparatus.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute a Purchase Order with Cummins West (Bakersfield, CA) for the purchase of Cummins engine repair services for emergency generators and fire apparatus, for the initial term of June 12, 2017 through June 11, 2018, in an amount not-to-exceed \$250,000.
- (b) Exercise up to four, one-year options to extend the term of the Purchase Order through June 11, 2022, subject to the annual appropriation of funds.

CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Finance)

Resolution No. 78186 adopted.

2.11 Mayor Liccardo's Travel to Los Angeles, CA.

Recommendation: Retroactively approve travel by Mayor Liccardo to Los Angeles, CA from April 21, 2017 to April 23, 2017 to attend the National Meeting of Rodel Mayor and Councilmembers. Source of Funds: Aspen Institute (cost of travel, lodging and food). CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Travel. (Mayor)

Approved.

2. CONSENT CALENDAR

2.12 Funding from County of Santa Clara for Bill's Backyard Bridge to Nature Project at the Discovery Meadow Park.

Recommendation: Adopt a resolution requesting funding from the County of Santa Clara for the Bill's Backyard: Bridge to Nature project at Discovery Meadow Park pursuant to Government Code section 25551 in the amount of \$50,000. CEQA: Addendum to Downtown Strategy 2000 Final Program Environmental Impact Report, File No. PP06-067. (Parks, Recreation and Neighborhood Services)

Resolution No. 78187 adopted.

2.13 Retroactive Approval of International Travel to Guadalajara, Mexico for the Guadalajara Study Tour 2017.

Recommendation: Retroactively approve international travel for Recreation Superintendent Ed Solis, Event Coordinator II Brian Clampitt, Recreation Program Specialist Zacharias Mendez, and Assistant to City Manager Zulma Maciel, to travel to Guadalajara, Mexico, from May 4, 2017 to May 8, 2017, to serve as the City Manager's designated representatives for the Guadalajara Study Tour 2017. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities, Travel. (Parks, Recreation and Neighborhood Services)

Approved.

2.14 Report on Bids and Award of Contract for the 8430 – Sanitary Sewer Repairs 2016-17 Package IV Project.

Recommendation: Report on bids and award of contract for the 8430 – Sanitary Sewer Repairs 2016-17 Package IV project to the low bidder, Southwest Pipeline & Trenchless Corp., in the amount of \$1,429,818 and approve a contingency in the amount of \$142,982. CEQA: Exempt, File No. PP17-029, CEQA Guidelines Section 15301, Existing Facilities and 15302, Replacement or Reconstruction. Council District 1, 6, 9 & 10. (Public Works)

Accepted.

2.15 Report on Bids and Award of Contract for the 8515 – Sanitary Sewer Repairs 2016-17 Package VI Project.

Recommendation: Report on bids and award of contract for the 8515 – Sanitary Sewer Repairs 2016-17 Package VI project to the low bidder, Southwest Pipeline & Trenchless Corp., in the amount of \$1,076,264, and approve a contingency in the amount of \$107,626. CEQA: Exempt, File No. PP17-029, CEQA Guidelines Section 15301, Existing Facilities and 15302, Replacement or Reconstruction. Council Districts 6, 9, & 10. (Public Works)

Accepted.

2. CONSENT CALENDAR

2.16 Master Agreements with ADS Corp. and V&A Consulting Engineers for Citywide Storm and Sanitary Sewer Flow Monitoring.

Recommendation: Approve the master agreements with the following firms for city-wide storm and sanitary sewer flow monitoring services:

- (a) ADS Corp. from the date of execution to June 30, 2020 in an amount not to exceed \$1,750,000; and
- (b) V&A Consulting Engineers from the date of execution to June 30, 2020, in an amount not to exceed \$750,000.

CEQA: Not a Project, File No. PP10-066(d), Agreements & Contracts, Consultant Services for Design, Study, Research, Inspection, or other professional consulting services to determine the feasibility of a project with no commitment to future action. (Public Works)

Approved.

2.17 Actions Related to the 6327 – Trail: Guadalupe River/Coleman Under-Crossing Project.

Recommendation:

- (a) Accept report on bids and award of a contract for 6327- Trail: Guadalupe River/Coleman Under-Crossing Project to the low bidder, Bridgeway Civil Constructors, Inc., in the amount of \$576,700, and approve a contingency in the amount of \$57,670.

Accepted.

- (b) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Subdivision Park Trust Fund:
 - (1) Increase the appropriation to the Parks, Recreation and Neighborhood Services Department for the TRAIL: Guadalupe River/Coleman Under-Crossing by \$172,000;
 - (2) Establish a new appropriation to the Parks, Recreation and Neighborhood Services Department for the TRAIL: Guadalupe River/Coleman Under-Crossing Riparian Habitat Mitigation/Restoration Plan for \$93,000; and
 - (3) Decrease the Future PDO/PIO Projects Reserve by \$265,000.

CEQA: Mitigated Negative Declaration for the Almaden Lake Park Improvement Project, File No. PP04-02-051. Council District 10. (Public Works/Parks, Recreation, Neighborhood Services/City Manager)

Ordinance No. 29947 adopted.

2. CONSENT CALENDAR

2.18 Actions Related to the Urban Forestry Services Reserve Funding.

Recommendation: Adopt the following 2016-2017 Appropriation Ordinance amendments in the General Fund:

- (a) Decrease the Urban Forestry Services Reserve in the amount of \$200,000;
- (b) Increase the Non-personal/Equipment appropriation to the Transportation Department in the amount of \$200,000.

CEQA: Exempt, File No. PP13-073, CEQA Guidelines Section 15304(b) Minor Alterations to Land. Council District 4. (Transportation/City Manager)

Ordinance No. 29948 adopted.

2.19 National Night Out.

Recommendation: As recommended by the Rules and Open Government Committee on May 24, 2017:

- (a) Approve the National Night Out scheduled for Tuesday, August 1, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (City Clerk)
[Rules Committee referral 5/24/17 – Item G.1.a.]

Approved.

2.20 Mount Pleasant Neighborhood Dumpster Day.

Recommendation: As recommended by the Rules and Open Government Committee on May 24, 2017:

- (a) Retroactively approve the Mount Pleasant Neighborhood Dumpster Day scheduled on Saturday, May 13, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Retroactively approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Carrasco)
[Rules Committee referral 5/24/17 – Item G.1.b.]

Approved.

2.21 Parks Community Meeting.

Recommendation: As recommended by the Rules and Open Government Committee on May 24, 2017:

- (a) Retroactively approve Parks Community Meeting scheduled on Wednesday, May 17, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Retroactively approve and accept donations from various individuals, businesses or community groups to support the event.

Approved.

2. CONSENT CALENDAR

2.22 Community Pancake Breakfast.

Recommendation: As recommended by the Rules and Open Government Committee on May 24, 2017:

- (a) Retroactively approve the Community Pancake Breakfast scheduled on Saturday, June 3, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Retroactively approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Carrasco)
[Rules Committee referral 5/24/17 – Item G.1.d.]

Approved.

2.23 Capitol Park Neighborhood Beautification Day.

Recommendation: As recommended by the Rules and Open Government Committee on May 24, 2017:

- (a) Approve the Capitol Park Neighborhood Beautification Day scheduled on Saturday, June 17, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Carrasco)
[Rules Committee referral 5/24/17 – Item G.1.e.]

Approved.

2.24 District 8 Community Events.

Recommendation: As recommended by the Rules and Open Government Committee on May 24, 2017:

- (a) Retroactively approve Welch Park Clean Up scheduled on Saturday, June 3, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve Senior Health Fair and Walk scheduled on Friday, June 9, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (c) Approve the Philippine Flag Raising scheduled on Monday, June 12, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (d) Retroactively approve and accept donations from various individuals, businesses or community groups to support the event (a).
- (e) Approve and accept donations from various individuals, businesses or community groups to support the events (b) to (c).

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Arenas)
[Rules Committee referral 5/24/17 – Item G.1.f.]

Approved.

2. CONSENT CALENDAR

2.25 Strive San José Youth Job Fair.

Recommendation:

- (a) Approve the Strive San José job fair scheduled on Tuesday, June 13, 2017 as a City Council Sponsored Special Event and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Mayor)

Approved.

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report). City Manager Norberto Dueñas welcomed Apple's Worldwide Developer's Conference to San José and thanked the City's strong team and strong team of partners that are making this event a success.

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.
None provided.

3.3 Spring 2017 Boards and Commissions Appointments.

Recommendation: Approve the following Board and Commission appointments:

- (a) Airport Commission:
 - (1) District 1 Seat: Appoint Ken Pyle for the term 7/1/2017 to 6/30/2021;
 - (2) District 3 Seat: Appoint Julie Matsushima for the term 7/1/2017 to 6/30/2021;
 - (3) District 5 Seat: Appoint Ernest Blake for the term 7/1/2017 to 6/30/2021;
 - (4) District 7 Seat: Appoint Allison Stember for the term 7/1/2017 to 6/30/2021;
 - (5) District 9 Seat: Appoint Catherine Hendrix for the term 7/1/2017 to 6/30/2021;
 - (6) Citywide Seat: Appoint Joe Head for the term 7/1/2017 to 6/30/2021;
- (b) Arts Commission:
 - (1) District 1 Seat: Appoint Smita Garg for the term 7/1/2017 to 6/30/2020;
- (c) Council Appointment Advisory Commission:
 - (1) District 2 Seat: Appoint Albert Rios for the term 6/6/2017 to 12/31/2018;
 - (2) District 5 Seat: Appoint Ken Kelly for the term 6/6/2017 to 12/31/2020;
 - (3) District 7 Seat: Appoint for the term 6/6/2017 to 12/31/2020;
- (d) Downtown Parking Board:
 - (1) Downtown Resident Seat: Appoint Wolfram Lerman for the term 7/1/2017 to 6/30/2021;

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3. STRATEGIC SUPPORT

3.3 Spring 2017 Boards and Commissions Appointments. (Cont'd.)

Recommendation:

- (d) Downtown Parking Board:
 - (2) Owner/Representative of Downtown Parking Facility Seat: Appoint Michael Lerman for the term 6/6/2017 to 6/30/2020;
 - (3) Member Representing Downtown Arts/ Special Events Seat: Appoint Harvard sung for the term 7/1/2017 to 6/30/2021;
- (e) Historic Landmarks Commission:
 - (1) One Seat: Appoint Edward Saum for the term 7/1/2017 to 6/30/2021;
 - (2) One Seat: Appoint Stephen Polcyn for the term 7/1/2017 to 6/30/2021;
 - (3) One Seat: Appoint Harriett Arnold for the term 6/6/2017 to 6/30/2018;
- (f) Housing and Community Development Commission:
 - (1) District 1 Seat: Appoint Martha O'Connell for the term 7/1/2017 to 6/30/2021;
 - (2) District 3 Seat: Appoint Barry DelBuono for the term 7/1/2017 to 6/30/2021;
 - (3) District 5 Seat: Appoint Ruben Navarro for the term 6/6/2017 to 6/30/2021;
 - (4) District 7 Seat: Appoint Melissa Medina for the term 7/1/2017 to 6/30/2021;
 - (5) District 9 Seat: Appoint Julie Quinn for the term 6/6/2017 to 6/30/2021;
 - (6) Citywide Seat: Appoint Nhi Nguyen for the term 7/1/2017 to 6/30/2021;
- (g) Human Services Commission:
 - (1) District 5 Seat: Appoint Daisy Barocio for the term 6/6/2017 to 12/31/2020;
- (h) Library and Early Education Commission:
 - (1) District 1 Seat: Appoint Michael Synder for the term 7/1/2017 to 6/30/2021;
 - (2) District 2 Seat: Appoint Kristin Rivers, PhD for the term 7/1/2017 to 6/30/2019;
 - (3) District 3 Seat: Appoint Daniel Newell for the term 7/1/2017 to 6/30/2021;
 - (4) District 5 Seat: Appoint Jose Magana for the term 7/1/2017 to 6/30/2021;
 - (5) District 6 Seat: Appoint Hillary Thorsen for the term 7/1/2017 to 6/30/2019;
 - (6) District 7 Seat: Appoint Wendi Mahaney-Gurahoo for the term 7/1/2017 to 6/30/2021;
 - (7) District 8 Seat: Appoint Giao Tran for the term 7/1/2017 to 6/30/2019;
 - (8) District 9 Seat: Appoint Tiffany Chu for the term 7/1/2017 to 6/30/2021;
 - (9) District 10 Seat: Appoint Patrick McMahon for the term 7/1/2017 to 6/30/2019;
 - (10) Citywide Seat: Appoint Elena Jolly for the term 7/1/2017 to 6/30/2021;
 - (11) CAAC- Early Education/Childcare Seat: Appoint Janice Allen for the term 6/6/2017 to 6/30/2020;

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3. STRATEGIC SUPPORT

3.3 Spring 2017 Boards and Commissions Appointments. (Cont'd.)

Recommendation:

- (i) Parks and Recreation Commission:
 - (1) District 2 Seat: Appoint Charles Dougherty for the term 7/1/2017 to 6/30/2019;
 - (2) District 3 Seat: Appoint Frank Ponciano for the term 7/1/2017 to 6/30/2021;
 - (3) District 5 Seat: Appoint Gregory Lovely for the term 7/1/2017 to 6/30/2021;
 - (4) District 7 Seat: Appoint Trami Con for the term 7/1/2017 to 6/30/2021;
 - (5) District 8 Seat: Appoint Chet Mandair for the term 7/1/2017 to 6/30/2019;
 - (6) Citywide Seat: Appoint George Adas for the term 7/1/2017 to 6/30/2021;
- (j) Senior Citizens Commission:
 - (1) District 1 Seat: Appoint Warren Gannon for the term 7/1/2017 to 6/30/2021;
 - (2) District 3 Seat: Appoint Robert VanCleeef for the term 7/1/2017 to 6/30/2021;
 - (3) District 5 Seat: Appoint Chittoor Subramanian for the term 7/1/2017 to 6/30/2021;
 - (4) District 7 Seat: Appoint Milan Balinton for the term 7/1/2017 to 6/30/2021;
 - (5) District 9 Seat: Appoint Robert Winsor for the term 7/1/2017 to 6/30/2021;
 - (6) Citywide Seat: Appoint May Miller for the term 7/1/2017 to 6/30/2021;
- (k) Youth Commission:
 - (1) District 1 Seat: Appoint Deepankar Joshi for the term 6/6/2017 to 5/31/2019;
 - (2) District 3 Seat: Appoint Lika Khoperia for the term 6/6/2017 to 5/31/2019;
 - (3) District 5 Seat: Appoint Elizabeth Plancarte for the term 6/6/2017 to 5/31/2019;
 - (4) District 7 Seat: Appoint Julia Nguyen for the term 6/6/2017 to 5/31/2019;
 - (5) District 9 Seat: Appoint Aruni Areti for the term 6/6/2017 to 5/31/2019.

CEQA: Not a Project, File No. PP10-069, City Administrative Activities. (City Clerk)
Approved.

3.4 District 9 Parks and Recreation Commission Appointment.

Recommendation: Make a finding that the reappointment of the current chair, Rudy Flores Jr., to a third term on the Parks and Recreation Commission is necessary in order to retain valuable experience on the Commission. CEQA: Not a Project, File No. PP10-069, City Administrative Activities. (City Clerk)

Accepted.

3. STRATEGIC SUPPORT

3.5 Appeals Hearing Board Interviews.

Recommendation: Interview applicants for the Attorney-at-Law position on the Appeals Hearing Board and consider appointment to fill a term expiring December 31, 2018. CEQA: Not a Project, File No. PP10-069, City Administrative Activities. (City Clerk)

Heard Immediately Following Consent

Interviews were held, and Thomas Skinner was appointed to fill a term expiring December 31, 2018.

3.6 Actions Related to the Request for Proposal for the Innovative LED Streetlight Replacement.

Recommendation:

- (a) Reject all proposals submitted for the Innovative LED Streetlight Replacement Request for Proposal.
- (b) With respect to LED streetlight conversion: Direct the City Manager to return to Council following completion of the City's Broadband Strategy with requirements, financing strategies, and procurement recommendations for converting the approximately 40,000 remaining streetlights to LED luminaires.
- (c) With respect to LED streetlight controller units: Direct the City Manager to evaluate alternatives regarding the deployment of LED streetlight controller units citywide, which may include potential demonstration and testing of emerging technologies.
- (d) With respect to the Broadband Strategy: Direct the City Manager to include in the Broadband Strategy:
 - (1) Recommendations regarding technology, governance, process, and policy for the City's broadband digital infrastructure including fiber/coax, streetlight poles, and small cells, including an analysis of the costs and benefits of combining proactive streetlight pole make-ready activities with installation; and
 - (2) Requirements, policy considerations, and procurement recommendations for Internet of Things network, platform, and devices.

CEQA: Exempt, File No. PP11-002, Street Lighting Design Guidelines, CEQA Guidelines Section 15301, Existing Facilities. (City Manager)

(Deferred from 1/24/17 – Item 3.4)

Deferred to 6/13/17 per Orders of the Day.

3. STRATEGIC SUPPORT

3.7 Amendments to the City Pay Plan for Various Classifications.

Recommendation: Adopt a resolution to:

- (a) Amend the City of San José Pay Plan effective June 18, 2017, to create the following classifications:
 - (1) Enterprise Information Technology Engineer I/II (8558/8559) with a salary range of \$89,107.20- \$108,388.80 (I) and \$94,411.20- \$115,003.20 (II) annually;
 - (2) Enterprise Supervising Technology Analyst (8560) with a salary range of \$103,833.60- \$126,505.60 annually;
 - (3) Enterprise Principal Technology Analyst (8561) with a salary range of \$114,275.20- \$139,152.00 annually;
 - (4) Assistant Independent Police Auditor U (8022) with a salary range of \$120,739.69- \$188,210.00 annually; and
 - (5) Records Specialist (1115) with a salary range of \$62,753.60 - \$76,419.20 annually.
- (b) Amend the City of San José Pay Plan effective June 18, 2017, to change the salary range and retitle the following classifications:
 - (1) Geographic Information Systems Specialist I/II (1381/1383) (formerly Geographic Systems Specialist I/II) with a salary range of \$56,763.20- \$69,139.20 (I) and \$69,347.20- \$84,489.60 annually; and
 - (2) Senior Geographic Information Systems Specialist (1385) (formerly Senior Geographic Systems Specialist) with a salary range of \$76,252.80- \$92,934.40.
- (c) Amend the City of San José Pay Plan effective June 18, 2017, to change the salary range for the following classifications:
 - (1) Enterprise Technology Manager (1373) with a salary range of \$119,620.80- \$146,411.20 annually;
 - (2) Budget Director U (1656) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (3) City Librarian U (6245) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (4) Director Aviation U (3546) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (5) Director City Manager's Office U (1701) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (6) Director Economic Development U (1999) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (7) Director Employee Relations U (1430) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (8) Director Environmental Services U (1696) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (9) Director Finance U (1258) with a salary range of \$148,677.23- \$232,379.00 annually;

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3. STRATEGIC SUPPORT

3.7 Amendments to the City Pay Plan for Various Classifications. (Cont'd.)

Recommendation:

- (10) Director Housing U (3989) with a salary range of \$148,677.23-\$232,379.00 annually;
 - (11) Director Human Resources U (1429) with a salary range of \$148,677.23-\$232,379.00 annually;
 - (12) Director Information Technology U (1375) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (13) Director of Transportation U (3199) with a salary range of \$148,677.23-\$232,379.00 annually;
 - (14) Director Parks, Recreation, and Neighborhood Services U (3996) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (15) Director Planning, Building, and Code Enforcement U (4154) with a salary range of \$148,677.23- \$232,379.00 annually;
 - (16) Director Public Works U (3867) with a salary range of \$148,677.23-\$232,379.00 annually;
 - (17) Director of Communication U (1671) with a salary range of \$135,404.46-\$211,325.00 annually;
 - (18) Assistant Director U (8048) with a salary range of \$129,969.69-\$202,591.00 annually;
 - (19) Assistant Director of Economic Development U (1998) with a salary range of \$129,969.69- \$202,591.00 annually;
 - (20) Deputy Director U (1640) with a salary range of \$113,488.73-\$176,781.00 annually;
 - (21) Division Manager (8074) with a salary range of \$100,215.02- \$153,065.00 annually;
 - (22) Chief of Police U (2227) with a salary range of \$168,815.16- \$263,860.00 annually;
 - (23) Assistant Police Chief U (2225) with a salary range of \$148,418.99-\$231,351.00 annually;
 - (24) Fire Chief U (2334) with a salary range of \$148,677.23 - \$232,379.00 annually;
 - (25) Assistant Fire Chief U (2333) with a salary range of \$129,962.00-\$202,591.00 annually;
 - (26) Assistant City Attorney U (2154) with a salary range of \$186,946.49-\$265,225.00 annually;
 - (27) Chief Trial Attorney U (2155) with a salary range of \$186,946.49-\$265,225.00 annually;
 - (28) Chief Deputy City Attorney U (2138) with a salary range of \$153,435.85-\$232,379.00 annually; and
 - (29) Assistant City Clerk U (1613) with a salary range of \$101,976.74-\$141,157.00 annually.
- (d) Amend the City of San José Pay Plan effective June 18, 2017, to change the title of the following classification:

(Item continued on the next page)

3. STRATEGIC SUPPORT

3.7 Amendments to the City Pay Plan for Various Classifications. (Cont'd.)

Recommendation:

- (d) (1) Digital Media Technician (3731) (formerly Darkroom Technician).
- (e) Amend the City of San José Pay Plan effective June 18, 2017, to delete the following classifications:
 - (1) Assistant to the City Manager-IR (1664); and
 - (2) Capital Projects Program Coordinator (3433).
- (f) Approve a 4.0% ongoing non-pensionable retention premium pay for the Assistant Police Chief U (2225), effective June 18, 2017.

CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making, Municipal Code, Title 3. (Human Resources)

Deferred to 6/13/17 per Orders of the Day.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report on the Implementation of the Urban Village Component of the Envision San José 2040 General Plan.

Recommendation: Accept the progress report on the implementation of the Urban Village component of the Envision San José 2040 General Plan, and provide comments on the proposed approach for implementation. CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Report. (Economic Development/Planning, Building and Code Enforcement)

(Deferred from 5/23/17 – Item 4.1)

Deferred to August 2017 per Orders of the Day.

4.2 Public Hearings on Business Improvement District Reports for Fiscal Year 2017-2018.

Recommendation:

- (a) Conduct a Public Hearing and adopt a resolution to approve the Hotel Business Improvement District budget report for fiscal year 2017-2018, as filed or as modified by the Council, and to levy the Hotel BID assessments for 2017-2018.

Public hearing held

Resolution No. 78188 adopted.

- (b) Conduct a Public Hearing and adopt a resolution to approve the Japantown Business Improvement District budget report for fiscal year 2017-2018, as filed or as modified by the Council, and to levy the Japantown BID assessments for 2017-2018.

Public hearing held

Resolution No. 78189 adopted.

(Item continued on the next page)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Public Hearings on Business Improvement District Reports for Fiscal Year 2017-2018. (Cont'd.)

Recommendation:

- (c) Conduct a Public Hearing and adopt of a resolution to approve the Downtown Business Improvement District budget report for fiscal year 2017-2018, as filed or modified by Council, to levy the Downtown BID assessments for 2017-2018, and to suspend collection of the Downtown BID assessments for the businesses that qualify for the business tax financial hardship exemptions under the City's general business tax ordinance.

CEQA: Exempt, File No. PP08-048, Section 15061(b)(3), No potential for causing a significant effect on the environment. (Economic Development)

Public hearing held

Resolution No. 78190 adopted.

4.3 Affordable Housing Investment Plan.

Recommendation: As recommended by the Community and Economic Development Committee on May 22, 2017, accept the report and provide comments on the Housing Department's Affordable Housing Investment Plan for expenditure of affordable housing funds covering the current and upcoming fiscal year. CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Report. (Housing) [Community and Economic Development Committee referral 5/22/17 – Item (d)(2)]

Accepted, including the joint memorandum from Mayor Sam Liccardo and Councilmember Donald Rocha, dated June 2, 2017, to:

1) Approve the staff report.

2) Direct the City Manager to continue prioritizing funds for the development of very low and low income rental housing.

3) Return to Community and Economic Development Committee with a moderate-income housing strategy that focuses on policy development options such as:

- Legislative actions that could facilitate development; and**
- Encouraging "affordable by design" housing that is smaller and more efficient;**
- Densification in key opportunity development areas; and**
- Leverage private corporate funds, particularly with anticipation of new federal tax**

4) Direct the City Manager to draft a letter to the County providing input on Measure A implementation. Staff should present their recommendations to the City Council for approval and secondly, send the letter to the Board of Supervisors and appropriate County of Santa Clara staff before the July legislative break.

5) Direct the City Manager to return to Council with a baseline affordable housing stock analysis for each Urban Village. Information collected as part of that baseline could include:

(Item Continued the Next Page)

4.3 Affordable Housing Investment Plan (Cont'd.)

- Total number of deed-restricted affordable housing and their dates of expiration;
- Total number of rent-controlled units; and
- Total number of mobile homes; and
- Other information that staff believes useful.

6) Direct the City Manager to provide in the next Housing Element an analysis, to the extent feasible, that compares the projected need for affordable housing (according to RHNA or so other source) with the projected number of affordable units that that we could reasonably expect to produce with existing funding sources, for the purpose of trying to understand whether additional funding sources are needed to fully meet demand, and if so, what the magnitude that additional funding need would be.

4.4 Public Hearing on the Formation of Community Facilities District No. 16.

Recommendation: Conduct a Public Hearing, a Special Election, and take the following actions related to the formation of Community Facilities District No. 16 (Raleigh - Coronado).

(a) Adopt a resolution:

- (1) Establishing Community Facilities District No. 16 (Raleigh - Coronado);
- (2) Authorizing the levy of a special tax;
- (3) Preliminarily establishing an appropriations limit; and
- (4) Submitting the levy of special tax to the qualified electors.

Public hearing held

Resolution No. 78191 adopted.

(b) Adopt a resolution:

- (1) Declaring the results of the special election;
- (2) Contingent upon two-thirds qualified voter approval, determining to form Community Facilities District No. 16 (Raleigh - Coronado); and
- (3) Directing the City Clerk to record a notice of special tax lien.

If approved by the qualified voters in Community Facilities District No. 16 (Raleigh - Coronado):

Public hearing held

Resolution No. 78192 adopted.

(c) Approve an ordinance imposing the levy of special taxes for Community Facilities District No. 16 (Raleigh - Coronado).

CEQA: Great Oaks Mixed Use Project EIR (Resolution No 77219), File No. PDC12-028. Council District 2. (Public Works)

Public hearing held

Ordinance No. 29949 adopted.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Actions Related to the Municipal Water System Water Rate Changes for 2017-2018.

Recommendation:

- (a) Hold a Public Hearing on proposed San José Municipal Water System 2017-2018 potable water rates and charges.

Public hearing held.

- (b) Adopt a resolution updating San José Municipal Water System potable water rates and charges, effective July 1, 2017.

Resolution No. 78193 adopted.

- (c) Adopt a resolution superseding Resolutions Nos. 67667, 68377 and 72756 with respect to recycled water meter charges and continuing in effect the current meter charges for recycled water users.

CEQA: Not a Project, File No. PP10-067(a), Non-Project Specific Funding Mechanism, Increase or Adjustment to Fees, Rates & Fares. Council Districts 2, 4, 7, & 8. (Environmental Services)

Resolution No. 78194 adopted.

7.2 Actions Related to the Recycle Plus Rates for Single-Family and Multi-Family Services.

Recommendation:

- (a) Conduct a Public Hearing on proposed 2017-2018 Recycle Plus rates and proposed maximum possible rate increases for 2018-2019 and 2019-2020.

Public hearing held.

- (b) Adopt a resolution to amend the current Recycle Plus rate resolution effective July 1, 2017, as follows:

- (1) Increase rates for single-family households by 3.5 percent; and
(2) Increase rates for multi-family households by 4.5 percent.

CEQA: Not a Project, File No. PP10-067(a), Non-Project Specific Funding Mechanism, Increase or Adjustment to Fees, Rates & Fares. (Environmental Services)

Resolution No. 78195 adopted.

7. ENVIRONMENTAL & UTILITY SERVICES

7.3 Actions Related to the Amendment to Title 22 – Public Art Program at the San José-Santa Clara Regional Wastewater Facility.

Recommendation:

- (a) Approve an ordinance amending Section 22.08.030 of Chapter 22.08 (Public Art Program) of Title 22 of the San José Municipal Code to exempt capital improvement projects for the San José-Santa Clara Regional Wastewater Facility from the one percent public art assessment of the capital improvement budget.

Ordinance No. 29950 passed for publication.

AND, if Council approves part (a);

- (b) As recommended by the Arts Commission on April 17, 2017, direct the Administration to research public art funding alternatives and report back to the Council by the end of November 2017 with recommendations to backfill the reductions in Public Art revenue that an exemption of Regional Wastewater Facility Capital Improvement Projects from the 1% for art public art ordinance would create.

CEQA: Not a Project, File No. PP10-068(d), General Procedure & Policy Making, Preliminary Direction to Staff. (Environmental Services/Economic Development)

The recommendation was modified, with direction that the public art funding alternatives work follow the Urban Village Framework and Downtown Sign District work, rather than adhering to the November 2017 deadline. The City Manager's office to return with recommendations if a significant amount of policy work is required for prioritization of the public art funding alternatives.

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

The Meeting of the City Council was recessed, and the Successor Agency to the Redevelopment Agency of the City of San José was convened.

9.1 Approval of Purchase and Sale Agreement for Property Located at 1343 The Alameda and Termination of Easement.

Recommendation: Successor Agency Board:

- (a) Approve a Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San José, as seller and Imwalle Properties as buyer to allow the sale of 1343 The Alameda (“Property”) for a purchase price of \$363,000, subject to an extension of the close of escrow for an additional sixty (60) days in addition to the thirty (30) days required under the Purchase and Sale Agreement.

Approved.

- (b) Adopt a resolution terminating the Successor Agency’s use of the adjacent property located at 1345 The Alameda for parking purposes and authorizing the Managing Director to execute a Quitclaim Deed to terminate the Easement Agreement, dated May 19, 2009, between the former Redevelopment Agency of the City of San José and Lydia Tai (“Tai Property”) which allows the Tai Property to use two (2) parking spaces on the Property.

CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. Council District 6. (Successor Agency)

(Deferred from 5/23/17 – Item 9.1)

Successor Agency Resolution No. 7062 adopted.

9.2 Approval of Purchase and Sale Agreement – 551 West Julian Street.

Recommendation: Successor Agency Board approve the Purchase and Sale Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San José, as seller and TC Agoge Associates, LLC as buyer to allow the sale of 551 West Julian Street for a purchase price of \$650,000, subject to an extension of the close of escrow for an additional sixty (60) days in addition to the thirty (30) days required under the Purchase and Sale Agreement. CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. Council District 3. (Successor Agency)

(Deferred from 5/23/17 – Item 9.2)

Approved.

9. REDEVELOPMENT – SUCCESSOR AGENCY

9.3 Approval of Purchase and Sale and Assignment Agreement for the Revenue Participation Interest for 261 North Second Street.

Recommendation: Successor Agency Board approve the Purchase and Sale and Assignment Agreement and Escrow Instructions between the Successor Agency to the Redevelopment Agency of the City of San José, as seller and Germania Verein Inc. as buyer to allow the sale of the Revenue Participation Interest for the property located at 261 North Second Street for the purchase price of \$32,360, subject to an extension of the close of escrow for an additional sixty (60) days in addition to the thirty (30) days required under the Purchase and Sale Agreement. CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. Council District 3. (Successor Agency)
(Deferred from 5/23/17 – Item 9.3)
Approved.

The meeting of the Successor Agency to the Redevelopment Agency of the City of San José was adjourned, and the meeting of the City Council was reconvened.

10. LAND USE

- **Open Forum**

- (1) **Robert Aguirre expressed concerns regarding the sweeps of homeless encampments.**
- (2) **David Vandever addressed the poor timing of tree removal and replanting in his neighborhood in South San José.**

- **Adjournment**

The Council of the City of San José adjourned at 4:10 p.m.

- Notice of City Engineer's Pending Decision on Final Maps

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
10423	129 W. Julian Street	3	Trumark Construction Services Inc.	16/ 43	MFA